

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

WILLIAM A. PARRISH, JR.,	:	
Petitioner,	:	
v.	:	Case No. 3:16-cv-486
LYNEAL WAINWRIGHT, Warden,	:	JUDGE WALTER H. RICE
Marion Correctional Institution,	:	
Respondent.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #75);  
OVERRULING PETITIONER'S OBJECTIONS THERETO (DOC. #76);  
OVERRULING PETITIONER'S MOTION TO ALTER OR AMEND  
JUDGMENT PURSUANT TO FRCP 59(e) (DOC. #74); DENYING  
CERTIFICATE OF APPEALABILITY AND LEAVE TO APPEAL *IN*  
*FORMA PAUPERIS*; JUDGMENT TO ENTER IN FAVOR OF  
RESPONDENT AND AGAINST PETITIONER; CASE TO REMAIN  
TERMINATED ON DOCKET

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz in his Report and Recommendations on Motion to Alter or Amend the Judgment, Doc. #75, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. For reasons explained in previous filings in this case, Petitioner's Objections, Doc. #76, are OVERRULED as meritless. *See* Doc. #73.

The Court OVERRULES Petitioner's Motion to Alter or Amend Judgment Pursuant to FRCP 59(e), Doc. #74.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner.

The captioned case shall remain terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: July 8, 2020



(tp - per Judge Rice authorization  
after his review)

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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE